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June 30, 2004

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From: Nan Wu  
415-836-2531

Client-Matter Number: 2101363-991100

Re: U.S. Appln. No. 09/881,823  
Filing Date: June 15, 2001  
Examiner: Robert Zeman  
Title: DNA MOLECULES RECOMBINANT DNA MOLECULES FOR PRODUCING  
HUMANIZED MONOCLONAL ANTIBODIES TO S. MUTANS

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(Form Rev. 6/5/00)

Gray Cary\SP\3102176.1  
2101363-991100

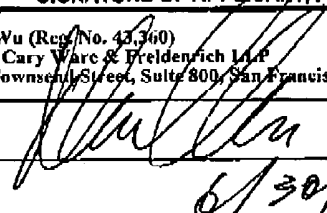
PTO/SB/21 (08-03)


Approved for use through 07/31/2006, QMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/881,823	
	Filing Date	June 15, 2001	
	First Named Inventor	Wenyuan Shi	
	Art Unit	1645	
	Examiner Name	Robert Zeman	
Total Number of Pages in This Submission	24	Attorney Docket Number	2101363-991100

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Paper <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Appendix - Exhibits A & B 2. Deposit Account Authorization 3. Facsimile Certificate
Remarks: _____		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Nan Wu (Reg. No. 42,360) Gray Cary Ware & Freidenrich LLP 153 Townsend Street, Suite 800, San Francisco, CA 94107	
Signature		
Date	6/30/04	

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Typed or printed name	Ta-Tanisha K. Moore		
Signature		Date	June 30, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 422 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-03)

Approved for use through 07/31/2008. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL  
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** \$1,280.00**Complete if Known**

Applicant Number	09/881,823
Filing Date	June 15, 2001
First Name of Inventor	Wenyuan Shi
Examiner Name	Robert Zeman
Art Unit	1645
Attorney Docket No.	2101363-991100

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit AccountDeposit  
Account  
Number

07-1896

Deposit  
Account  
Name

Gray Cary Ware &amp; Freidenrich

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
<b>SUBTOTAL (1)</b>					<b>(\$)</b>

**2. EXTRA CLAIM FEES FOR UTILITY AND**

Total Claims		Extra Claims		Fee from below		Fee Paid	

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	16	2202	8	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	200	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	Reissue independent claims over original patent	
1205	18	2205	9	Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b>					<b>(\$)</b> \$0.00

\*\*or number previously paid, if greater. For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	2053	130	Non - English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	950.00
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	330.00
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1480	130	2480	130	Petitions to the Commissioner	
1807	50	2807	50	Processing fee under 37 CFR § 1.17(q)	
1806	180	2806	180	Submission of Information Disclosure Statement	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	2802	900	Request for expedited examination of a design application	

Other fee (specify):

Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$)  
\$1,280.00**SUBMITTED BY**

Name (Print/Type)

Nam Wu

Registration No.  
(Attorney/Agent)

43,361

**Complete (if applicable)**

Telephone

(415) 836-2500

Signature

Date

6/30/04

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PTO/SB/17 (10-03)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** \$1,280.00**Complete if Known**

Application Number	09/881,823
Filing Date	June 15, 2001
First Named Inventor	Wenyuan Shi
Examiner Name	Robert Zeman
Art Unit	1645
Attorney Docket No.	2101363-991100

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:

Deposit Account Number

07-1896

Deposit Account Name

Gray Cary Ware &amp; Freidenrich

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 365	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 285	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 180	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$)

**2. EXTRA CLAIM FEES FOR UTILITY AND**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** = 0	X	= 0.00
Multiple Dependent	-3** = 0	X	= 0.00

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)			(\$)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non - English specification	
1812 2,520	1812 1,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
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1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 450	2502 225	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR § 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Statement	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify):

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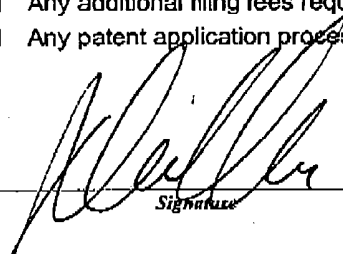
SUBTOTAL (3) (\$)

**SUBMITTED BY**

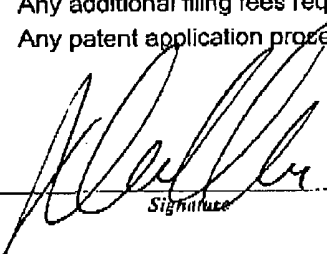
Name (Print/Type)	Nan Wu	Registration No. (Attorney/Agent)	43,360	Telephone	(415) 836-2500
Signature		Date	6/30/04		

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<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>				Docket No. <b>2101363-991100</b>	
Applicant(s): <b>Wenyuan Shi, et al.</b>					
Serial No. <b>09/881,823</b>	Filing Date <b>June 15, 2001</b>	Examiner <b>Robert Zeman</b>	Group Art Unit <b>1645</b>		
Invention: <b>DNA MOLECULES AND RECOMBINANT DNA MOLECULES FOR PRODUCING HUMANIZED MONOCLONAL ANTIBODIES TO S. MUTANS</b>					
<u>TO THE COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	29	44	0 x	\$18.00	\$0.00
INDEP. CLAIMS	2	3	0 x	\$86.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>
<input type="checkbox"/> No additional fee is required for amendment. <input checked="" type="checkbox"/> Please charge Deposit Account No. <b>07-1896</b> in the amount of <b>\$1,280.00</b> <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. _____ <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.					
 _____ Signature			Dated: <b>6/30/04</b>		
<b>Nan Wu (Reg. No. 43,360)</b> <b>Gray Cary Ware &amp; Freidenrich LLP</b> <b>153 Townsend Street, Suite 800</b> <b>San Francisco, CA 94107</b>			I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37C.F.R. 1.8 and is addressed to the for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.		
CC:			Signature of Person Mailing Correspondence		
			See attached facsimile certificate		
			Typed or Printed Name of Person Mailing Correspondence		

P11LARGE/REV05

<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>			Docket No. 2101363-991100		
Applicant(s): <b>Wenyuan Shi, et al.</b>					
Serial No. 09/881,823	Filing Date June 15, 2001	Examiner Itobert Zeman	Group Art Unit 1645		
Invention: <b>DNA MOLECULES AND RECOMBINANT DNA MOLECULES FOR PRODUCING HUMANIZED MONOCLONAL ANTIBODIES TO S. MUTANS</b>					
<b><u>TO THE COMMISSIONER FOR PATENTS:</u></b>					
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	29 -	44 =	0 x	\$18.00	\$0.00
INDEP. CLAIMS	2 -	3 =	0 x	\$86.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>
<input type="checkbox"/> No additional fee is required for amendment. <input checked="" type="checkbox"/> Please charge Deposit Account No. <b>07-1896</b> in the amount of <b>\$1,280.00</b> <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. _____ <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input type="checkbox"/> Any patent application processing fees under 37 CFR 1.7.					
 _____ Signature			Dated: <b>6/30/04</b>		
<b>Nan Wu (Reg. No. 43,360)</b> <b>Gray Cary Ware &amp; Freidenrich LLP</b> <b>153 Townsend Street, Suite 800</b> <b>San Francisco, CA 94107</b>			<div style="border: 1px solid black; padding: 5px;">             I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37C.F.R. 1.8 and is addressed to the for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. </div> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;">             _____              Signature of Person Mailing Correspondence </div> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;">             See attached facsimile certificate </div> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;">             _____              Typed or Printed Name of Person Mailing Correspondence </div>		
CC:					

P11LARGE/REV06

<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b>			<b>Docket No.</b>
Applicant(s): <b>Wenyuan Shi, et al.</b>			<b>2101363-991100</b>
<b>Serial No.</b> 09/881,823	<b>Filing Date</b> June 15, 2001	<b>Examiner</b> Robert Zeman	<b>Group Art Unit</b> 1645
<b>Invention: DNA MOLECULES AND RECOMBINANT DNA MOLECULES FOR PRODUCING HUMANIZED MONOCLONAL ANTIBODIES TO S. MUTANS</b>			
<p>I hereby certify that this <u>Amendment Transmittal (Large Entity)</u> (Identify type of correspondence)</p> <p>is being facsimile transmitted to the United States Patent and Trade mark Office (Fax. No. <u>(703) 872-9306</u>)</p> <p>on <u>June 30, 2004</u> (Date)</p> <p style="text-align: right;"><u>Ta-Tanisha L. Moore</u> (Typed or Printed Name of Person Signing Certificate)</p> <p style="text-align: right;"><u></u> (Signature)</p> <p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p>			

P16/REV01

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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JUN 30 2004

Application No.	: 09/881,823	) Confirmation No. 8957
Applicants	: Shi et al.	)
Filed	: June 15, 2001	)
Group Art Unit	: 1645	) CERTIFICATION UNDER 37 CFR § 1.8
Examiner	: Robert Zeman	)
Attorney Docket No.	: S/A II (2101363/991100)	) I hereby certify that this correspondence is being facsimile
Customer No.	: 29585	) transmitted to the United States Patent and Trademark Office to:
		) Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
For:	DNA MOLECULES AND RECOMBINANT	)
	DNA MOLECULES FOR PRODUCING	)
	HUMANIZED MONOCLONAL ANTIBODIES	)
	TO <i>S. MUTANS</i>	)

\_\_\_\_\_  
 Ta-Tanisha L. Moore  
 (Name of person making paper)  
 \_\_\_\_\_  
 Signature

**Box: AF**  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

**AMENDMENT RESPONSE TO THE FINAL OFFICE ACTION**

In response to the final Office Action of January 2, 2004, please amend the above-identified application as follows:

**Amendments to the Specification** None

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Amendments to the Drawings:** None

**Remarks/Arguments** begin on page 6 of this paper.

An **Appendix** including Exhibit A and Exhibit B is attached following page 9 of this paper.

Gray Cary\SF\3101902.1  
 2101363-991100